

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**ROBERT P. LARGESE, REP. MARK J.
CARRON, REP. EMILE J. GOGUEN, REP.
ROBERT S. HARGRAVES, REP. PETER J.
LARKIN, REP. JAMES R. MICELI, REP.
PHILIP TRAVIS, SEN. STEVEN C.
PANAGIOTAKOS, REP. CHRISTOPHER P.
ASSELIN, REP. EDWARD G. CONNOLLY,
REP. JOHN A. LEPPER, REP. ELIZABETH
A. POIRIER,**

Plaintiffs,

vs.

Case No. 04-10921-JLT

**SUPREME JUDICIAL COURT FOR THE
STATE OF MASSACHUSETTS;
CHIEF JUSTICE MARGARET MARSHALL,
JUSTICE ROBERT J. CORDY, JUSTICE
JUDITH A. COWIN, JUSTICE JOHN M.
GREANEY, JUSTICE RODERICK IRELAND
JUSTICE MARTHA B. SOSMAN, JUSTICE
FRANCIS X. SPINA, in their official capacities
as Justices of the Supreme Judicial Court of
Massachusetts; MASSACHUSETTS
DEPARTMENT OF PUBLIC HEALTH;
CHRISTINE C. FERGUSON, in her official
capacity as Commissioner of the Massachusetts
Department of Public Health; JUDY A.
McCARTHY, in her official capacity as City
Registrar for the City of Boston; CITY AND
TOWN CLERKS 1-350,**

Defendants.

**MOTION OF ATTORNEY MICHAEL J. DEPRIMO TO
APPEAR PRO HAC VICE**

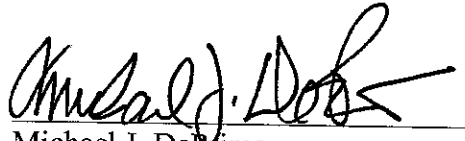
COMES NOW the undersigned attorney, pursuant to Local Rules of Practice for the United States District Court for the District of Massachusetts, Local Rule 83.5.3, and the Court's order from the bench on May 12, 2004 to pay the \$100.00 pro hac vice fee,

and petitions this Court for permission to appear pro hac vice on behalf of the above-named Plaintiffs. In support thereof, he shows the Court following:

1. I am Senior Litigation Counsel for American Family Association Center for Law & Policy. I reside in Lee County, Mississippi. My office address is 100 Parkgate Drive, Suite 2-B, Tupelo, Mississippi, 38801.
2. I am admitted to and a member in good standing of the State Bars of Connecticut, Mississippi, and Virginia. I am admitted to practice in the Federal District Courts for the Districts of Colorado and Connecticut, the Northern and Southern Districts of Mississippi, the Northern District of Texas, and the Eastern and Western Districts of Wisconsin. I am also admitted to the United States Courts of Appeal for the Second, Third, Fourth, Fifth, Ninth, Tenth, Eleventh and D.C. Circuits, and the United States Supreme Court.
3. I received my J.D. from Regent University School of Law in 1989.
4. I have not been held in contempt of court, censured, suspended or disbarred by any court.
5. I am familiar with the provisions of the Judicial Code (Title 28 U.S.C.), which pertain to the jurisdiction of, and practice in the United States District Courts; the Federal Rules of Civil Procedure and the Federal Rules of Evidence; the Local Rules of the District Court for the District of Massachusetts; and the Code of Professional Responsibility of the American Bar Association.

WHEREFORE the undersigned counsel respectfully requests that this Court grant him permission to appear pro hac vice.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael J. DePrimo", written over a horizontal line.

Michael J. DePrimo
Senior Litigation Counsel
AMERICAN FAMILY ASSOCIATION
CENTER FOR LAW & POLICY
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by First Class Mail, postage prepaid on this 14th day of May, 2004, to the following counsel of record:

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Michael J. DePrimo